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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

FEDERICO CERETTI, *et al.*

Defendants.

Adv. Pro. No. 09-01161 (SMB)

STIPULATION AND ORDER SETTING BRIEFING SCHEDULE

Plaintiff Irving H. Picard, as trustee (the “Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa-III, and the substantively consolidated estate of Bernard L. Madoff, by and through his counsel, Baker & Hostetler LLP, and non-parties HSBC Bank Bermuda Ltd. (“HSBC Bank Bermuda”) and Mr. Craig Perry (“Non-Party Perry,” together with HSBC Bank Bermuda, the “Non-Parties”), by and through their counsel, Cleary Gottlieb Steen & Hamilton LLP, hereby stipulate and agree as follows:

WHEREAS, on October 3, 2018, the Trustee filed a motion for the issuance of a Letter of Request to the Registrar of the Supreme Court in Hamilton, Bermuda for the examination of Non-Party Perry in the above-captioned adversary proceeding (the “Motion”) [ECF No. 372];

WHEREAS, the Trustee served notice of the Motion upon counsel for certain parties in interest, including counsel for HSBC Bank Bermuda [ECF No. 373];

WHEREAS, on October 9, 2018, the Non-Parties, through their counsel, filed a memorandum of law in opposition to the Motion (the “Opposition”) [ECF No. 374];

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Trustee and the Non-Parties, by their respective counsel below, that:

1. The Trustee shall file and serve his response to the Non-Parties’ Opposition no later than **October 23, 2018;**
2. The Non-Parties shall file and serve their reply to the Trustee’s response no later than **October 29, 2018;**
3. A hearing on the Trustee’s Motion is scheduled before this Court for **October 31, 2018** at 10:00 am.

Date: October 19, 2018
New York, New York

<p>BAKER & HOSTETLER LLP</p> <p>By: <u>/s/ David J. Sheehan</u> 45 Rockefeller Plaza New York, New York 10111 David J. Sheehan Email: djsheehan@bakerlaw.com Geraldine E. Ponto Email: gponto@bakerlaw.com Gonzalo Zeballos Email: gzeballos@bakerlaw.com Marshall J. Mattera Email: mmattera@bakerlaw.com</p> <p><i>Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff</i></p>	<p>CLEARY GOTTlieb STEEN & HAMILTON LLP</p> <p>By: <u>/s/ Thomas J. Moloney</u> Thomas J. Moloney (tmoloney@cgsh.com) Diarra M. Guthrie (dguthrie@cgsh.com) One Liberty Plaza New York, New York 10006 T: 212-225-2000 F: 212-225-3999</p> <p><i>Attorneys for HSBC Bank Bermuda Ltd. and Mr. Craig Perry</i></p>
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Date: October 22, 2018
New York, New York

/s/ STUART M. BERNSTEIN
United States Bankruptcy Judge